

No. 14/13/87-6Lab./170.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s. Haryana Refractories (P) Ltd., Faridabad *versus* Shri Shiv Murti.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD

Reference No. 199 of 1994

*between*

THE MANAGEMENT OF M/S HARYANA REFRACTORIES (P) LTD.,  
PLOT NO. 65-66, SECTOR 25, FARIDABAD

*and*

THE WORKMAN NAMELY, SHRI SHIV MURTI C/O, FARIDABAD  
KAMGAR UNION (REGD.), C. I. T. U. OFFICE, BHUD COLONY,  
OLD FARIDABAD

*Present :*

Shri Rakesh Bansal, for the workman.

None, for the management.

AWARD

In exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 (here-in-after referred to as 'the Act'), the Governor of Haryana referred the following dispute between the parties mentioned above to this court for adjudication,—*vide* Haryana Government Endst. No. 24774—79, dated 24th June, 1994 :—

Whether the termination of services of Shri Shiv Murti is legal and justified? If not, to what relief, is he entitled to?

2. The case of the workman is that he was appointed by the management as Helper on 10th July, 1976 and his last drawn wages were Rs. 1,109.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the demand. The management instead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workmen on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. He is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrefuted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of Section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

U. B. KHANDUJA,

The 23rd December, 1994.

Presiding Officer,  
Labour Court-II, Faridabad.

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Endorsement No. 73, dated the 2nd January, 1995.

A copy with three spare copies is forwarded to the Financial Commissioner and Secretary to Government of Haryana, Labour Department, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

No. 14/13/87-6Lab./171.—In pursuance of the provisions of section 17 of the Industrial disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Prosiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s Haryana Refractories (P) Ltd., Faridabad *versus* Smt. Janki.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD

Reference No. 212/1994

*between*

THE MANAGEMENT OF M/S HARYANA REFRACTORIES (P) LTD.,  
PLOT NO. 64—66, SECTOR 25, FARIDABAD.

*and*

THE WORKMAN NAMELY, SMT. JANKI C/O FARIDABAD KAMGAR  
UNION (REGD.), C.I.T.U. OFFICE, BHUD COLONY, OLD  
FARIDABAD.

*Present :*

Shri Rakesh Bansal, for the workman.

None, for the management.

#### AWARD

In exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 (here-in-after referred to as 'the Act'), the Governor of Haryana referred the following dispute between the parties mentioned above to this court for adjudication,—*vide* Haryana Government Endst. No. 24847—52, dated 24th June, 1994 :—

Whether the termination of services of Smt. Janki, is legal and justified? If not, to what relief, is she entitled to?

2. The case of the workman is that she was appointed by the management as Moulder on 1st January, 1973 and her last drawn wages were Rs. 1,134.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the demands. The management instead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workmen on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. She is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of Section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

The 23rd December, 1994.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II,  
Faridabad.

Endorsement No. 77, dated the 2nd July, 1995.

A copy, with three spare copies, is forwarded to the Financial Commissioner and Secretary to Government Haryana, Labour Department, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II,  
Faridabad.

No. 14/13/87-6Lab./172.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s Haryana Refractories (P) Ltd., Faridabad versus Smt. Bhagwati.

IN THE COURT OF SHRI U.B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD

Reference No. 205/94

*between*

THE MANAGEMENT OF M/S HARYANA REFRactories (P) LTD.,  
PLOT NO. 65-66, SECTOR-25, FARIDABAD.

*and*

THE WORKMAN NAMELY SMT. BHAGWATI, C/O FARIDABAD KAMGAR  
UNION (REGD.), CITU OFFICE, BHUD COLONY, OLD FARIDABAD.

*Present :*

Shri Rakesh Bansal, for the workman.

None, for the management.

#### AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), the Governor of Haryana referred the following dispute between the parties mentioned above to this court for adjudication,—*vide* Haryana Government Endt. No. 24804—09, dated 24th June, 1994 :—

Whether the termination of services of Smt. Bhagwati is legal and justified ? If not, to what relief, is she entitled to ?

2. The case of the workman is that she was appointed by the management as Helper on 1st August, 1986 and her last drawn wages were Rs. 1,034.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the demands. The management instead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workman on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to

serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. She is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against ex parte.

4. The workmen has led evidence by filling affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

The 23rd December, 1994.

U. B. KHANDUJA.

Presiding Officer,  
Labour Court-II,  
Faridabad.

Endorsement No. 76, dated 2nd January, 1995.

A copy with three spare copies, is forwarded to the Financial Commissioner, and Secretary the Government Haryana, Labour Department Chandigarh.

U. B. KHANDUJA.

Presiding Officer,  
Labour Court-II,  
Faridabad.

No. 14 13/87-6Lab./173.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s Haryana Refractories (P) Ltd Faridabad *versus* Shri Lal Mohan.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD

Reference No. 207 of 1994

*between*

THE MANAGEMENT OF M/S HARYANA REFRactories (P) LTD.,  
PLOT 65-66, SECTOR-25, FARIDABAD

*and*

THE WORKMAN NAMBYL, SHRI LAL MOHAN, C/O FARIDABAD  
KAMGAR UNION (REGD.), CITU OFFICE, BHUD COLONY,  
OLD FARIDABAD

Present :

Shri Rakesh Bansal, for the workman.

None, for the management.

#### AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (here-in-after referred to as the Act), the Governor of Haryana referred to following dispute between the parties mentioned above to this court for adjudication.—*vide* Haryana Government Endst. No. 24816—21, dated 24th June, 1994 :—

Whether the termination of services of Shri Lal Mohan, is legal and justified ? If not, to what relief, is he entitled to ?

2. The case of the workman is that he was appointed by the management as Fireman on 14th September, 1976 and his last drawn wages were Rs. 1,134.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workmen on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produced record on 13th July 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. He is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

U. B. KHANDUJA,

The 23rd December, 1994.

Presiding Officer,  
Labour Court-II, Faridabad.

Endst. No. 75, dated the 2nd January, 1995.

A copy, with three spare copies, is forwarded to the Financial Commissioner and Secretary to the Government, Haryana, Labour Department Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

The 6th February, 1995

No. 14/13/87-6Lab./174.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s. Haryana Refractories (P) Ltd., Faridabad *versus* Shri Dil Mohamad.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD

Reference No. 213 of 94

*between*

THE MANAGEMENT OF M/S HARYANA REFRactories (P) LTD.,  
PLOT NO. 65-66, SECTOR-25, FARIDABAD

*and*

THE WORKMAN, NAMELY SHRI DIL MOHAMAD C/O FARIDABAD  
KAMGAR UNION (REGD.) CITU, OFFICE, BHUD COLONY,  
OLD FARIDABAD

*Present :*

Shri Rakesh Bansal, for the workman.

None, for the management.

## AWARD

In exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 (herein-after referred to as 'the Act'), the Governor of Haryana referred the following dispute, between the parties mentioned above to this court for adjudication,—*vide* Haryana Govt. Endst. No. 24859—64, dated 24th June, 1994 :—

Whether the termination of services of Shri Dil Mohamad is legal & justified ? If not, to what relief, is he entitled to ?

2. The case of the workman is that he was appointed by the management as helper on 16th October, 1972 and his last drawn wages were Rs. 1,109.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the demands. The management in stead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workmen on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. He is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

The 23rd December, 1994.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

Endorsement No. 74, dated the 2nd January, 1995.

A copy, with three spare copies, is forwarded to the Financial Commissioner and Secretary to the Government, Haryana, Labour Department, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

No. 14/13/87-6 Lab./175.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s Haryana Refractories (P) Ltd., Faridabad *versus* Shri Sukhu.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, FARIDABAD.

Reference No. 200/94

*between*

THE MANAGEMENT OF M/S HARYANA REFRactories (P) LTD., PLOT NO. 65-66, SECTOR-25, FARIDABAD.

*and*

THE WORKMAN NAMELY SHRI SUKHU C/O FARIDABAD KAMGAR UNION (REGD.), CITU OFFICE, BHUD COLONY, OLD FARIDABAD

*Present :*

Shri Rakesh Bansal, for the workman.

None, for the management.

## AWARD

In exercise of the powers conferred by Clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') the Governor of Haryana referred the following dispute, between the parties, mentioned above to this Court for adjudication,—*vide* Haryana Government Endorsement No. 24780—85, dated 24th June, 1994:—

Whether the termination of services of Shri Sukhu, is legal and justified? If not, to what relief he is entitled to?

2. The case of the workman is that he was appointed by the management as Fireman on 24th April, 1975 and his last drawn wages were Rs. 1,134.60. The employees union served a demand notice dated 10th April, 1993 on the management giving 15 days time to settle the demands. The management instead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workmen on the gate. They lodged a complaint with the Labour Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. He is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.  
5. I have heard the authorized representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

U. B. KHANDUJA

The 23th December, 1994.

Presiding Officer,  
Labour Court-II, Faridabad.

Endorsement No. 80, dated 2nd January, 1995.

A copy with three spare copies is Forwarded to the Financial Commissioner, and Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

No. 14/13/87-6 Lab./176.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s. Haryana Refractories (P) Ltd., Faridabad *versus* Sh. Dwarka Mehato.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD.

Reference No. 215/94  
*between*

THE MANAGEMENT OF M/S HARYANA REFRactories (P) LTD.,  
PLOT NO. 65-66, SECTOR-25, FARIDABAD

*versus*

THE WORKMAN NAMELY SHRI DWARIKA MEHATO C/O FARIDABAD  
KAMGAR UNION (REGD.), CITU OFFICE, BHUD COLONY, OLD  
FARIDABAD

*Present*

Shri Rakesh Bansal, for the management.  
None, for the management.

## AWARD

In exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act'), the Governor of Haryana referred the following dispute between the parties mentioned above to this Court for adjudication,—*vide* Haryana Government Endorsement No. 24871--76, dated 24th June, 1994 :—

Whether termination of services of Shri Dwarika Mehato is legal and justified ? If, not to what relief is he entitled to ?

2. The case of the workman is that he was appointed by the management as Sater on 1st October, 1973 and his last drawn wages were Rs. 1119.60. The employees union served a demand notice, dated 10th April, 1993 on the management giving 15 days time to settle the demands. The management instead of settling the dispute all of a sudden on 1st July, 1993 stopped the present workman and 22 other workman on the gate. They lodged a complaint with the Labour-Inspector and the management was summoned to appear and produce record on 13th July, 1993. The management did not produce the record before the Labour Inspector on 13th July, 1993 and so they were advised to serve demand notice. The termination of his services effected in this manner by the management is illegal and unjustified. He is thus, entitled to be reinstated into service with continuity in service with full back wages.

3. Notice was sent to the management under registered cover to appear in the court but it was received back undelivered with the remarks of the postal authorities that they had refused to take notice. Consequently, it was ordered that the management be proceeded against *ex parte*.

4. The workman has led evidence by filing affidavit containing the aforesaid position.

5. I have heard the authorised representative of the workman.

6. It stands proved from the unrebutted position given in the affidavit that the services of the workman were terminated illegally in violation of the provisions of section 25-F of the Act. Consequently, the workman is entitled to be reinstated into service with continuity in service and full back wages. The award is passed accordingly.

The 23rd December, 1995.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.

Endorsement No. 72, dated the 2nd January, 1995.

A copy, with three spare copies, is forwarded to the Financial Commissioner and Secretary to the Government, Haryana Labour Department, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II, Faridabad.